

## **REMARKS**

The drawings have been objected to under 37 CFR 1.83(a). It is proposed to file corrected drawings showing the processing apparatus in conjunction with the claimed apparatus. Applicant therefore requests that this objection be withdrawn.

Claims 1-2, 5-7,9-10,20-21 have been rejected under 35 U.S.C. 102(b) as being anticipated by Popp et al. This rejection is respectfully traversed.

The invention claimed is a delivery unit and method for delivering low viscosity processing solution to a processing apparatus. The unit comprises a storage container having a nozzle at one end and incorporating a piston. The fixed volume to be delivered can be varied by controlling the displacement of the piston. The means activating the piston allows for a very accurate fixed volume of solution to be delivered every time the piston is activated. It is not intended that the container is emptied in one go, it is a metering system, not a one-shot device. The container acts as both the storage container for the solution and as part of the metering system for delivering the accurate volumes of solution to the processing apparatus.

Popp discloses a cartridge and piston for dispensing a viscous mass. One or more foil bags are located within the cylinder of the cartridge and the contents thereof squeezed out by displacement of the piston. The content of the foil bags is a viscous material, not a low viscosity solution. Furthermore there is no disclosure of any means of varying the amount of this material that is squeezed out by displacement of the piston. There is no suggestion of varying the displacement of the piston. Neither is there any disclosure of the displacement being very accurately controlled. Contrary to what the examiner states Popp not only does not disclose a delivery unit for supplying low viscosity solution but the storage container does not have a nozzle at one end thereof. The nozzle in Popp is found at the end of the dispensing tool, not the foil container. The piston is found in the dispensing tool not in the foil container. The material to be dispensed is not stored in the container as defined by the present invention but is supplied in foil bags which are inserted into a dispensing tool.

The device of Popp will not perform the method claimed in claims 1-2, 5-7 and 9 of the present application. There is no solution supplied in a

storage container, the container having a nozzle at one end thereof and forming part of a metering system. As explained above Popp is concerned with viscous materials which are provided in foil containers, the containers being inserted into a dispensing tool.

For the reasons set out above claims 1 and 10 of the present application should be allowed over Popp.

Claims 2, 5-7, 9, 20-21 are dependent on claims 1 and 10. They therefore include all the features of claims 1 and 10. For the same reasons as set out above claims 2, 5-7, 9, 20-21 of the present invention should be allowed.

Claims 3, 14 and 16 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Popp in view of Bristow, 4,406,654. This rejection is respectfully traversed.

Bristow teaches the use of activation means comprising a rod for pushing a piston, the rod being in connection with a clutch plate activated by a cam. However, as discussed above Popp does not disclose all the features of the claimed invention except that the displacement of the piston is caused by movement of a cam. Therefore the combination of Popp and Bristow would not result in the invention as claimed in claims 3, 14 and 16.

For the reasons set out above claims 3, 14 and 16 of the present application should be allowed over Popp in view of Bristow.

Claim 11 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Popp et al. This rejection is respectfully traversed.

Modifying the device of Popp by providing a plastic seal behind the piston would not result in the invention claimed in claim 11 of the present application.

Claim 11 is dependent on claim 10 and therefore includes all the features of claim 10. As discussed above Popp does not disclose or suggest all the features of claim 10.

For the reasons set out above claim 11 of the present application should be allowed over Popp.

Claim 13 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Popp in view of Taylor et al EP 0354663. This rejection is respectfully traversed.

Taylor discloses a system for introducing a flowable additive via a syringe into a container of paint or such like. The piston of the syringe is shaped to fit into the nozzle thereof.

Claim 13 is dependent on claim 10 and thus includes all the features of claim 10. As discussed above Popp does not disclose all the features of the invention claimed in claim 10. Therefore modifying the front end of the device of Popp with the front end of the syringe of Taylor et al would not result in the invention claimed in claim 13.

For the reasons set out above claim 13 of the present application should be allowed over Popp in view of Taylor et al.

In view of the foregoing, Applicant respectfully submits that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank Pincelli", written over a horizontal line.

Attorney for Applicants  
Registration No. 27,370

Frank Pincelli/phw  
Rochester, NY 14650  
Telephone: 585-588-2728  
Facsimile: 585-477-4646